

EXHIBIT 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DECLARATION OF BRADLEY P. MOSS, ESQ.

The undersigned hereby declares as follows:

1. I am a person over eighteen (18) years of age and competent to testify. I make this Declaration on personal knowledge. This Declaration is submitted in support of the Plaintiff's Ex-Parte Motion for Leave to File Complaint Using Counsel's Address in Violation of LCvR 102.2 (a).

2. I am admitted to practice law in the State of Illinois and the District of Columbia, as well as the U.S. Court of Appeals for the D.C. Circuit and the United States District Courts for the District of Columbia, District of Maryland and the Northern District of Illinois. I have been litigating cases involving the federal government, including with respect to the Freedom of Information Act (“FOIA”), since 2007. I routinely represent individuals associated with or within the Intelligence, Law Enforcement and Military communities in administrative proceedings and litigation. I currently hold a TS/SCI security clearance and often have access to classified information as part of my representation of clients. Additionally, I also serve as the Deputy Executive Director of

The James Madison Project (www.jamesmadisonproject.org), which seeks to educate the public on secrecy and national security issues.

3. This is a routine FOIA case seeking the disclosure of responsive, non-exempt records requested by the Plaintiff Mark Zaid (“Mr. Zaid”).

4. Mr. Zaid is a well-known and recognized attorney, including as a member of this Court, who has been handling high-profile cases since 1993, including relating to national security. Over the years he has sued numerous agencies of the U.S. Government, but also terrorist governments and war criminals. He currently holds a TS/SCI security clearance and regularly represents covert intelligence officers whose identities cannot be lawfully revealed. As such he can be a target for foreign intelligence agencies.

5. Perhaps of greater concern, however, is the threat from domestic extremists. In 2019, Mr. Zaid served as co-counsel to the Intelligence Community Whistleblower whose complaint against President Donald Trump regarding his conversation with the President of Ukraine led to the first impeachment proceedings. Mr. Zaid was personally publicly attacked and vilified by the President, as well as by notable alt-right media personalities such as Rush Limbaugh, Sean Hannity, Mark Levin and Laura Ingraham, which directly led to numerous harassing communications to include death threats. As a result, Mr. Zaid had to have armed security for 24/7 over a two month period.

6. Several of the death threats were investigated by the Federal Bureau of Investigation (“FBI”), the agency to which the FOIA request in question was submitted, and one individual was ultimately prosecuted by the U.S. Government and pled guilty. *“We will hunt you down”: Man threatened attorney of Trump whistleblower, prosecutors say*, Washington Post, Feb. 2, 2020, available at <https://www.washingtonpost.com/nation/2020/02/20/whistleblower-attorney-threatened/> (last accessed May 7, 2021); *“Bleed you out” like a pig: Feds accuse man of threatening Trump whistleblower’s attorney*, NBC News, Feb. 20, 2020, available at <https://www.nbcnews.com/news/us-news/bleed-you-out-pig-feds-bust-man-threatening-trump-whistleblower-n1139996> (last

accessed May 7, 2021); “Michigan man pleads guilty to threatening to ‘hunt down’ Trump whistleblower’s lawyer”, Michigan Live, Dec. 1, 2020, available at <https://www.mlive.com/news/saginaw-bay-city/2020/12/michigan-man-pleads-guilty-to-threatening-to-hunt-down-trump-whistleblowers-lawyer.html> (last accessed May 7, 2021).

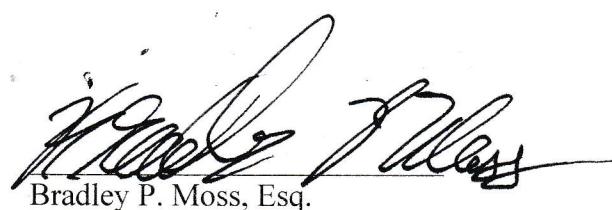
7. Should Mr. Zaid’s residential address be revealed it would only further increase the chance that he could face significant and real threats of harm to his and others’ well-being.

8. Through my representation of other clients, I, or my law firm, have sought identical relief to that requested herein on many occasions. To the best of my recollection, this type of request has rarely (if ever) been denied.

9. The Defendant, of course, is aware of the residential address of Mr. Zaid, especially since it cooperated and led the investigation into the most recent death threats against him (as well as previously processed his security clearance), and absolutely no prejudice would be imparted upon it by this request.

I do solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge.

Date: May 8, 2021



Bradley P. Moss, Esq.